

well dressed. Owens wore a soft hat, tailored overcoat, an up-to-the-minute brown suit and a circular diamond pin. Horan wore a derby, a black and white striped suit and a dark overcoat.

After their arraignment in the Detective Bureau it was found that Judge Crain had left for the day. The only court open was Part II, presided over by Judge Rosalsky.

The detectives were taken there and it was thought the usual motions to fix bail would be disposed of in a few minutes. In the Police Captain William A. Bailey, arrested last week, this procedure was followed, and bail at \$2,500 was fixed by Judge Rosalsky without delay.

To-day, however, the judge after hearing Mr. Fridiger, told Owens's war record, went into a lengthy discussion of the section of the Penal Code on which the indictment was based. He finally said that the Police Captain, when Mr. Smith appeared, Judge Rosalsky had the stenographer read the exchange of comment between the court and Fridiger and he then asked Owens to answer the questions, claiming that the matter was one for Judge Crain and the grand jury to decide.

It was thereupon fixed at \$2,500 in each case, which was furnished by Robinson.

### Name of Car Owner Given

Owens and Horan were specifically accused of having accepted a gratuity of \$100 for the recovery of a car stolen from Mrs. Emily Herreshoff. The reward was paid by Mark R. Decker, acknowledged as the owner of the car, to an insurance company adjuster.

The insurance man was a very reluctant witness, it is said. He claimed that he paid the money to the detectives in accordance with the provisions of the City Charter, which permits a member of the Police Department, with the approval of the Commissioner, to accept a reward for meritorious and extraordinary police duty.

However, that in this specific instance the reward did not go through official police channels, but was paid in cash to the two accused men.

Under the section of the charter mentioned and the Police Department rules, any member of the Police Department may receive a reward for meritorious or extraordinary police duty, if such money is paid to the Commissioner, Headquarters, if that procedure is followed, the policeman gets 50 per cent of the amount of the reward, 10 per cent goes into the pension fund and the other 40 per cent is paid to the family maintained for the support of the families of policemen killed in the performance of their duty.

"You will notice that the law is specific in stating that a reward is acceptable by permission of the Commissioner, for meritorious and extraordinary police duty, if sent through the proper channels," Mr. Whitman said in his conference with newspaper men last night.

"In this particular case, and in the hundreds of other cases we have before us, the meritorious and extraordinary police duty appears to be the reward of a policeman who is working for the insurance companies."

### 4,500 Stolen Autos Listed

"Police men are charged with the duty of collecting and presenting crime," he added. "We have a list of 4,500 automobiles stolen and recovered by the eight members of the Police Department automobile squad. They got the cars, but they didn't get the men who stole the cars. Does meritorious and extraordinary police duty mean the recovery of property or the apprehending of the person responsible for the loss of that property?"

"Suppose," he added, "that 4,500 watches were stolen in the Borough of Manhattan within a year and that no arrests—or very few—were made, and in each case the man who had been victimized had to pay to recover his property. Is that what is actually occurring in the organized system of automobile thefts. If the police can recover the stolen property, why haven't they arrested the person responsible for the loss of that property?"

According to the information, which has been under a careful scrutiny by Mr. Whitman and his assistants, about 7,000 cars were stolen last year. Of this number 4,500 were recovered. Based on the figures so far submitted by insurance companies, the average price paid by the insurance companies for the recovery of a car is charged to have been \$100.

In other words, men of the automobile squad, and possibly some highway patrolmen, are paid \$100 a day during the last twelve months \$450,000 as "rewards" for doing the duty to which they were sworn and for which the city paid salaries.

### Owens's Arrest a Sensation

"Marty" Owens's arrest created little short of a sensation. After his arraignment, at least fifteen detectives from the Police Department gathered in front of the Criminal Courts Building, whispered to him and handed him notes. He held several receptions on various floors of the building and went into the newspaper reporters' office to give out a statement. There he was met by old-time reporters who greeted him cordially. He also stopped at the office of an Assistant District Attorney, where he received a warm welcome.

Owens was chosen by Colonel Arthur Woods, then Police Commissioner, to drive the Police Department Honor Legion ambulance before this country entered the World War. When the United States entered the conflict he enlisted, and finally was mustered out as a captain. He won the Croix de Guerre, with palm, from the French government, and he also holds a letter of commendation from General Pershing for having saved the life of a fellow ambulance driver.

### Capitan Owens was never connected with a combatant section of the army

His entire service, except his service with the French as an ambulance driver, being confined to the work of the Army Intelligence Bureau.

He is thirty-seven years old and single. He is a handsome chap and is known among his associates as "Chester Marty." He was appointed a patrolman in 1907, and last October was made a sergeant.

Horan has had a much less spectacular record than Owens. He joined the Police Department in 1910, and after serving four years in the rank of a detective, was promoted to the rank of first grade detective in 1917. He lives in the Bronx, is married and has three children.

### Fridiger Issues Statement

Louis Fridiger, who became well known through his connection with the strikers in the recent B. E. T. trouble, as counsel for the two indicted detective sergeants, gave the following statement yesterday:

"This indictment is the result of spite and solely to satisfy a personal desire of the Assistant District Attorney James E. Smith against Mr. Owens. This condition has existed for months—in fact, since Sergeant Owens came to the Criminal Courts Building to resent an insult offered to him by Smith."

"Assistant District Attorney Smith in court to-day before Judge Rosalsky has been confessing and acknowledging when he said that the facts as contained in the affidavit were true."

"We will move immediately for an inspection of the grand jury minutes. In his confession and case will be dismissed without going to trial. But in the event that it does go to trial, we will show that the records of Sergeant Owens and Horan are

## Moves to Free Brines; Holds Proof Faulty

### Defense Asks Case Be Taken From Jury on Ground State's Evidence Fails to Sustain Indictment

### Question To Be Argued

### Letter That Lured Drewes to Death Written by Accused, Expert Holds

PHILADELPHIA, Jan. 27.—On a jury's attitude toward a bit of rust in a revolver barrel, and a dozen or so lines scrawled on two sheets of paper, hangs the fate of William P. Brines, on trial for the murder of Elmer C. Drewes, Dartmouth College student, whose body was found October 17 in this city. Four days of weaving a net of circumstantial evidence about the prisoner ended to-night, when Assistant District Attorney Gordon rested his case against the youthful student.

Immediately William A. Gray, counsel for the defendant, moved that the case be taken from the hands of the jury because of insufficient proof brought forth by the commonwealth. Judge Ferguson, deferred argument on the motion until to-morrow morning. Granting of the motion is equivalent to acquittal of Brines.

Without trace of emotion showing upon his face or in his actions, Brines to-day gazed upon the bullet that had caused the death of his chum. Held much clearer than that of the man who brought this indictment."

Mr. Smith grinned when the statement was read to him. "They have been doing that for years and it hasn't worried me," was his only comment.

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